

[116H7270]

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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To direct the Attorney General of the United States to submit to the Congress
a report on Federal criminal offenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROY introduced the following bill; which was referred to the Committee
on _____

A BILL

To direct the Attorney General of the United States to
submit to the Congress a report on Federal criminal
offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Count the Crimes to
5 Cut Act of 2021”.

6 **SEC. 2. REPORT ON FEDERAL CRIMINAL OFFENSES.**

7 (a) DEFINITIONS.—In this section—

1 (1) the term “criminal regulatory offense”
2 means a Federal regulation that is enforceable by a
3 criminal penalty; and

4 (2) the term “criminal statutory offense”
5 means a criminal offense under a Federal statute.

6 (b) REPORT ON CRIMINAL STATUTORY OFFENSES.—
7 Not later than 1 year after the date of enactment of this
8 Act, the Attorney General shall submit to the Committee
9 on the Judiciary of the Senate and the Committee on the
10 Judiciary of the House of Representatives a report, which
11 shall include—

12 (1) a list of all criminal statutory offenses, in-
13 cluding a list of the elements for each criminal stat-
14 utory offense; and

15 (2) for each criminal statutory offense listed
16 under paragraph (1)—

17 (A) the potential criminal penalty for the
18 criminal statutory offense;

19 (B) the number of prosecutions for the
20 criminal statutory offense brought by the De-
21 partment of Justice each year for the 15-year
22 period preceding the date of enactment of this
23 Act; and

24 (C) the mens rea requirement for the
25 criminal statutory offense.

1 (c) REPORT ON CRIMINAL REGULATORY OF-
2 FENSES.—

3 (1) REPORTS.—Not later than 1 year after the
4 date of enactment of this Act, the head of each Fed-
5 eral agency described in paragraph (2) shall submit
6 to the Committee on the Judiciary of the Senate and
7 the Committee on the Judiciary of the House of
8 Representatives a report, which shall include—

9 (A) a list of all criminal regulatory of-
10 fenses enforceable by the agency; and

11 (B) for each criminal regulatory offense
12 listed under subparagraph (A)—

13 (i) the potential criminal penalty for a
14 violation of the criminal regulatory offense;

15 (ii) the number of violations of the
16 criminal regulatory offense referred to the
17 Department of Justice for prosecution in
18 each of the years during the 15-year period
19 preceding the date of enactment of this
20 Act; and

21 (iii) the mens rea requirement for the
22 criminal regulatory offense.

23 (2) AGENCIES DESCRIBED.—The Federal agen-
24 cies described in this paragraph are the Department
25 of Agriculture, the Department of Commerce, the

1 Department of Education, the Department of En-
2 ergy, the Department of Health and Human Serv-
3 ices, the Department of Homeland Security, the De-
4 partment of Housing and Urban Development, the
5 Department of the Interior, the Department of
6 Labor, the Department of Transportation, the De-
7 partment of the Treasury, the Commodity Futures
8 Trading Commission, the Consumer Product Safety
9 Commission, the Equal Employment Opportunity
10 Commission, the Export-Import Bank of the United
11 States, the Farm Credit Administration, the Federal
12 Communications Commission, the Federal Deposit
13 Insurance Corporation, the Federal Election Com-
14 mission, the Federal Labor Relations Authority, the
15 Federal Maritime Commission, the Federal Mine
16 Safety and Health Review Commission, the Federal
17 Trade Commission, the National Labor Relations
18 Board, the National Transportation Safety Board,
19 the Nuclear Regulatory Commission, the Occupa-
20 tional Safety and Health Review Commission, the
21 Office of Compliance, the Postal Regulatory Com-
22 mission, the Securities and Exchange Commission,
23 the Securities Investor Protection Corporation, the
24 Environmental Protection Agency, the Small Busi-

1 ness Administration, the Federal Housing Finance
2 Agency, and the Office of Government Ethics.

3 (d) INDEX.—Not later than 2 years after the date
4 of enactment of this Act—

5 (1) the Attorney General shall establish a pub-
6 lically accessible index of each criminal statutory of-
7 fense listed in the report required under subsection
8 (b) and make the index available and freely acces-
9 sible on the website of the Department of Justice;
10 and

11 (2) the head of each agency described in sub-
12 section (c)(2) shall establish a publically accessible
13 index of each criminal regulatory offense listed in
14 the report required under subsection (c)(1) and
15 make the index available and freely accessible on the
16 website of the agency.

17 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to require or authorize appropria-
19 tions.